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February 7, 2008

CHAMBERS OF
JUDGE SIDNEY H. STEIN
U.S.D.J.

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BY FACSIMILE (212-805-7924)

Judge Sidney H. Stein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Capitol Records et al v. Multiply, Inc.*, 07 CV 11357 (SHS)

Dear Judge Stein:

We are counsel for the Plaintiffs in the above-referenced case.

I respectfully write to request that Your Honor adjourn the initial conference scheduled for tomorrow morning to a date subsequent to February 15, 2008. At the request of Defendants' counsel and based on a request to meet with us and our clients to discuss potential resolution of this matter, we had agreed to an extension of time for Defendant to respond to the Complaint until February 15, 2008. It is my understanding that the stipulation reflecting such extension was filed. A meeting was held but resolution was not obtained and it is therefore clear that this litigation will be going forward.

Because it is our understanding that the counsel Defendant is currently using is not generally involved in litigation matters, we do not currently know who will ultimately represent Defendant or whether they will request additional time to respond to the complaint. As such, we believe that an adjournment is appropriate in this matter and would suggest that a calendar date of March 7, 2008 might be reasonable. I am sending a copy of this letter to the current counsel for Defendant.

I appreciate Your Honor's consideration of this matter.

Respectfully submitted,

Donald S. Zakarin

Cc: Fred Davis, Esq. (via facsimile 212-230-5510)

The conference is
adjourned to
March 7, 2008, at
10:30 a.m. No further
adjournment.
SO ORDERED 2/7/08

SIDNEY H. STEIN
U.S.D.J.